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8

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 FRANCINE SCOLARO, an individual,

12 Plaintiff,

13 vs.

14 THE VONS COMPANIES, INC.; DOES I  
15 through X, and ROE CORPORATIONS XI  
through XX, inclusive,

16 Defendants.  
17

**Case No. 2:17-cv-01979-JAD-VCF**

**STIPULATION AND ORDER TO**  
**EXTEND DISCOVERY DEADLINES**  
**(SECOND REQUEST)**

18 In accordance with Local Rules of Practice for the United States District Court for the  
19 District of Nevada (“LR”) 26-4, Defendant The Vons Companies, Inc. (“Defendant”), by and  
20 through its counsel of record, BACKUS, CARRANZA & BURDEN, and Plaintiff Francine Scolaro  
21 (“Plaintiff”), by and through her counsel of record, BLACK & LOBELLO, hereby stipulate and  
22 agree to an extension of all remaining discovery deadlines by sixty (60) days. The parties  
23 propose the following revised discovery plan:

24 **DISCOVERY COMPLETED TO DATE**

25 The parties have exchanged initial and supplemental disclosures of documents and the

names of individuals with knowledge of the facts pertaining to the claims set forth in this matter. Defendant has propounded written discovery requests including interrogatories and requests for production. Defendant has taken Plaintiff's deposition. Plaintiff has propounded requests for interrogatories, production of documents, and admissions. Plaintiff has also taken the deposition of Defendant's employees.

#### **DISCOVERY TO BE COMPLETED**

Plaintiff seeks to perform a site inspection of the subject store. Defendant intends to depose Plaintiff's medical providers. Plaintiff intends to depose the Defendant's "PMK" as well as the only known percipient witness. The parties intend to disclose and depose liability and damages experts. Defendant intends to have Plaintiff undergo an Independent Medical Examination.

#### **REASONS FOR EXTENSION TO COMPETE DISCOVERY**

Plaintiff was scheduled to undergo an Independent Medical Examination ("IME") by Dr. Howard Tung on April 12, 2018. However, Plaintiff's mother passed away the night before. Thus, Plaintiff was not able to attend the scheduled IME. Due to Dr. Tung's busy schedule, Defendant was not able to schedule another IME for immediately thereafter. The parties therefore request for a 60-day extension of the remaining discovery deadlines so that an IME could be scheduled and conducted. This request is made in good faith, not for the purpose of delay.

#### **PROPOSED NEW DISCOVERY DEADLINES**

##### **Expert Disclosure Deadline:**

Currently: 5/25/18

**Proposed: 7/24/18**

##### **Interim Status Report:**

Currently: 5/25/18

**Proposed: 7/24/18**

##### **Rebuttal Expert Disclosure Deadline:**

Currently: 6/25/18

**Proposed: 8/24/18**

**Discovery Deadline:**

Currently: 7/24/18

**Proposed: 9/24/18**

**Deadline to File Dispositive Motions:**

Currently: 8/24/18

**Proposed: 10/23/18**

**Pre-Trial Order Deadline:**

Currently: 9/24/18

**Proposed: 11/23/18**

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

DATED: this 26<sup>th</sup> day of April, 2018

DATED: this 26<sup>th</sup> day of April, 2018

**BLACK & LOBELLO**

**BACKUS, CARRANZA & BURDEN**

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**ORDER**

IT IS SO ORDERED.

DATED: this 30<sup>th</sup> day of April, 2018.



UNITED STATES MAGISTRATE JUDGE